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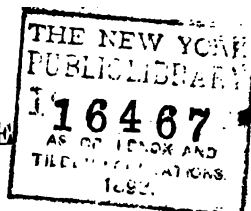
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A GLANCE



AT THE PRESENT STATE
OF
IRELAND;

WITH REFLECTIONS ON

THE ABSOLUTE NECESSITY OF A COMPLETE
AND EFFECTIVE EMANCIPATION;

AND

A SUMMARY OF THE CIVIL REGULATIONS OF THE
ROMAN CATHOLIC CHURCH

IN THE AUSTRIAN DOMINIONS AND IN FRANCE.

BY

THE AUTHOR OF "PERSECUTIONS OF POPERY."

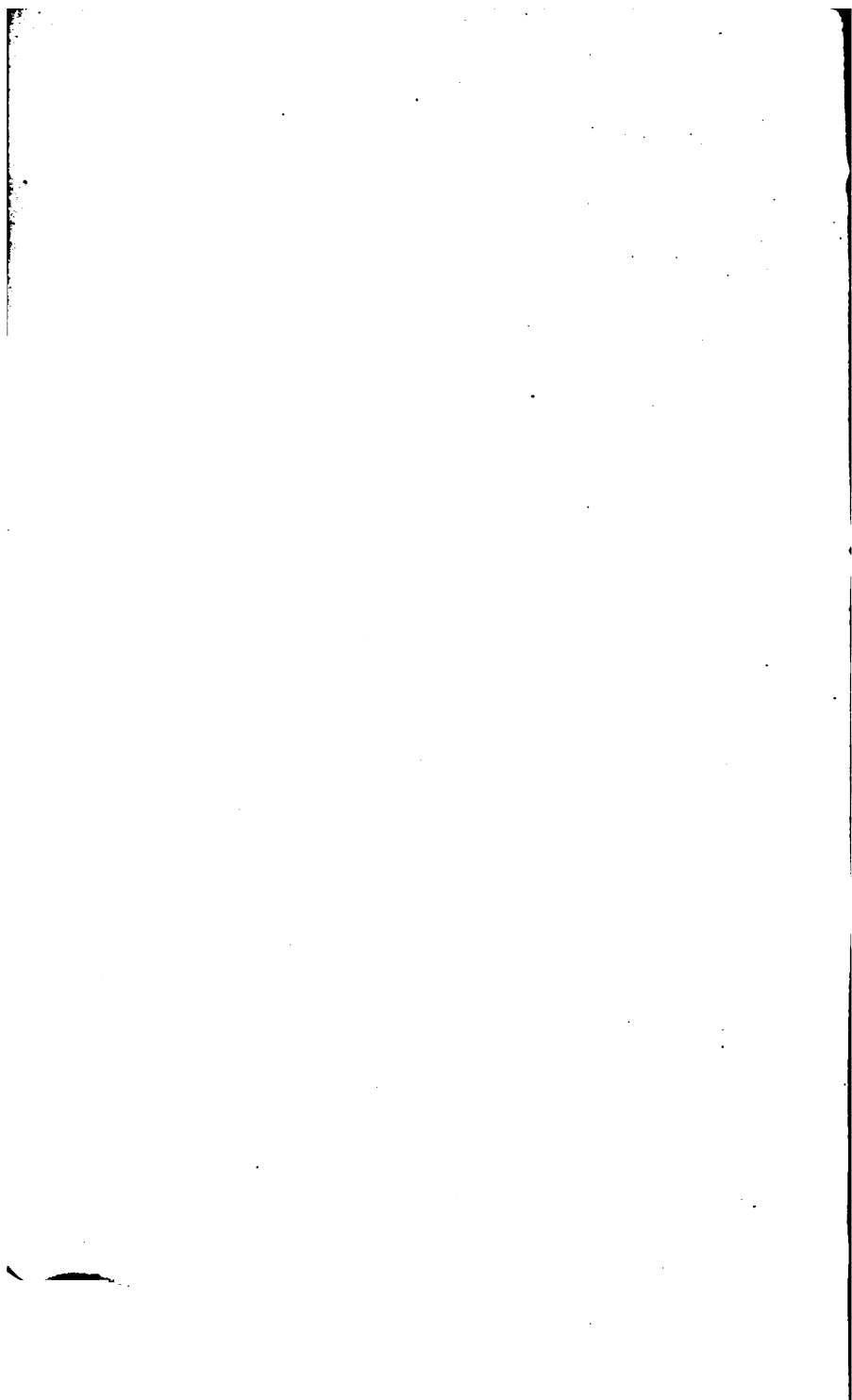
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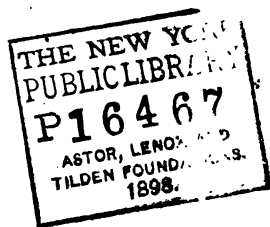
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A GLANCE
AT THE
PRESENT STATE OF IRELAND.

While recently engaged upon a work undertaken for the express purpose of exhibiting, in their true form and colour, the spirit, principles, and practices of Popery, I have been led into involuntary reflexions on the state of unhappy Ireland, overwhelmed with prodigious evils arising from the predominance of that system. With a population computed at eight millions, three fourths of whom are Papists, and with a soil and situation furnishing all the elements of national prosperity, Ireland is the seat of abject poverty.

In every other country, pauperism forms the exception; in Ireland, among the Catholic population, at least, it constitutes the rule. The poverty of these people is equalled only by their ignorance, and this renders them willing tools in the hands of Popish demagogues, political and religious. This deplorable condition it is to the interest of their Clergy to perpetu-

ate, and so much the more does it behove the government, by strong and efficient measures, to break the chains by which they are bound.

Popery, in fact, is essentially a religion of tyranny and slavery: the people must be slaves to the Clergy, the Clergy slaves to the see of Rome: it admits of no intermediate class. Though Catholics are no longer excluded from the legislature and from high offices of State, still the mass of the Irish nation have a right, as British subjects, to demand a further measure of emancipation. They are still held in a thralldom more galling than Egyptian bondage, a thralldom which shackles at once freedom of thought and freedom of action—the thralldom of their priests, the sworn dependents of Rome—the thralldom of Popery. Till these fetters are broken, the Irish Catholics must continue to be an enslaved race, blind tools of their Clergy, ready instruments of every desperate Agitator, and reckless foes to a heretic government.

The experience of the last year has sufficiently shown the temper of the Catholic priesthood in Ireland. Filled with the same arrogance, intolerance, and hatred against heretics, whether in palaces or in huts, which characterize their Deity enthroned in Rome, they instil the same vindictive sentiments into their flocks, and cautiously keep from them that book from which they might acquire notions more consonant with the spirit of genuine Christianity. We have heard them declare themselves to a man the champions of Repeal; we have seen them, seduced by the prospective

plunder of the Protestant Church, marshalling their legions and leading them many miles from their homes, to swell the monster meetings collected by audacious conspirators, to intimidate the government into acquiescence in their plan for the dismemberment of the Empire. We have seen them profaning their places of worship by the political assemblies and unhallowed banquets of incendiaries, and that too on the very sabbath; active agents in extracting O'Connell Rent and Repeal Rent from the improvident and starving peasantry, and ready to embark in any other impracticable scheme for restoring their Church to its ancient power and splendour. At the same time, their own immediate interest is not forgotten. Their rapacity in exacting extortionate fees has, we are told, in an official report of a provincial society,* “driven the peasantry in a large district of Ireland to resist their unjust demands. It was natural that a population, which had been long taught by their priests that it was honest and praiseworthy to resist the legal demand of tithes, should at length perceive that, by the same rule, it could not be dishonest to resist illegal exactions, which had been every year increasing, till, in the last twenty years, they had become nearly doubled. The fees, for instance, on marriage, varied among the poorest classes from one to three guineas, and among the richer were collected from all the friends invited to the wedding feast, at the close of which a plate was handed round

* Report of the Loughborough Protestant Tract Society, 1843.

for the contributions of the guests, who were thus urged to a sacrifice of money which can scarcely be credited on this side of the Channel; twenty pounds having been on one occasion contemptuously refused by the priest in lieu of the usual collection, which sum had been offered by a respectable farmer, who entertained an honourable repugnance to the idea of his daughter being married at the expence of his friends."

When we consider these incessantly recurring demands for every religious rite performed by the Catholic clergy, the sums raised through their influence, for purposes legal and illegal, and the time lost in holidays prescribed by the Church, by processions, and, as lately, by attendance at seditious meetings in distant parts of the country, we shall not be surprised at the deep distress which one untoward season is sure to entail on the famishing peasantry. Then, indeed, they are glad to receive succour in their necessities, from the Christian charity of the Protestant clergy, which is always afforded, in such cases, to the utmost extent of their means; and from the liberality of their *Saxon* fellow-subjects, whom, in return, they are taught most heartily to detest.

Were an attempt to be made in England to collect, upon any pretext whatever, such assemblages as those which took place last year in Ireland, I shrewdly suspect that the first would be also the last. It is a lamentable fact that what is unlawful on this side of the Channel may be done with impunity on the other. Too truly did Marquis Wellesley observe that "in Ireland

it is less dangerous to defy the laws than to enforce them." There can be no doubt that the influence of the priests is as often exerted to instigate as it is withheld when it might prevent outrage. Hence Ireland, that is popish Ireland, is a lawless country, lawless as the most savage country on the face of the globe, though British jurisprudence ostensibly prevails there. And to what cause is this owing? I answer, Popery, the bane and curse of that devoted island. There sympathy is not enlisted on the side of the sufferer, but on that of the criminal, how heinous soever his offence. A nobleman, whose humane consideration for his tenantry affords them regular employment, walks out in broad day into the pleasure-grounds surrounding his mansion, and a lurking assassin sends a bullet into his heart. The offer of thousands will not lead to the discovery of the murderer—A gentleman, seated at the cheerful board with family and beloved relatives, is surprised by a band of armed ruffians, and more than one life besides his own falls a sacrifice to their vengeance—A landlord applies for his rent, and the tenant in arrear sallies forth with the instrument of destruction, disguised in the clothes of a relation, and, with the determination to do the deed of blood, desires that relation to *pray* for him. The day chosen in preference for such horrors is the sabbath; upon the principle, I presume, of "the better day the better deed." If, perchance, the presence of a spectator of one of these atrocities is too well known for him to escape the unpleasant necessity of being bound over to give evidence,

his priest addresses him by name before all the congregation, and significantly warns him to beware of bearing false witness against an innocent man.

Let it not be imagined that I am putting hypothetical cases; the reader of the public papers will recognise in them events of very recent date. And who are uniformly the victims? Heretics—whom the brute peasantry are taught to consider it no more sin to slaughter than their own hogs; and, of course, if they but confess and purchase absolution of their indulgent spiritual director, they may sleep undisturbed by qualms of conscience or stings of remorse.

While evils of such magnitude stalk through the land with impunity, can we wonder that noblemen and gentlemen, instead of staying at home to be butchered, with a prudent concern for their lives, quit their estates and spend their income in other countries, in spite of the vehement outcries raised against the crime of absenteeism! For my own part, I must confess that, rather than accept the finest domain in Ireland on condition of constant residence, I would hide my head in the meanest hovel on the wildest moor in England, where I could roam abroad free as the mountain wind, without dreading that the first man I met was coming to seek my blood.

One of the most lamentable effects of Popery, even at this day, is the utter disregard of truth and honour, of oaths and the most solemn engagements. As the tree, so is the fruit. The authority of the Church itself was acquired by forgery, fraud, imposture, and

usurpation ; and it has contrived to instil the same faithlessness into its votaries, by the assumption of a dispensing power, and by inculcating that no oath contrary to the interests of the Popish church is binding. In regard to this point, indeed, the court of Rome has exhibited a phenomenon without a parallel in the history of the world. The Popes, when constrained to pay public homage to the civil authority, have been known to retract it at the very same moment, in secret protests, written entirely by their own apostolical hands.

By these clandestine retractations, they deem themselves released from all the engagements to which they were ostensibly pledged by signing treaties, or promises, or any other declarations—a phenomenon, I repeat, unexampled in the history of human perfidies ; for, though it is but too common for men to violate engagements, and even to enter into them with the intention of seizing the first occasion for breaking them, still it is very rarely that they reduce such a resolution to writing, and record so carefully authentic intentions of predetermined treachery.

A more convenient device for ridding the conscience of the bold bad man of all restrictions he could scarcely desire. Accordingly, we see it unblushingly acted upon every day. What else could impart even to the “Great Agitator,” who might be as aptly styled the “Incarnation of Popery,” the hardihood to repeat with shameless front in his harangues, epistles, and manifestoes, lies the most gross, fabrications the most

palpable, fictions the most absurd, and to palm them upon his ignorant and besotted auditors as historical facts?—unless, indeed, he has repeated them so often as at last to believe them himself. In him these falsehoods are meritorious: are they not advanced to promote the interests of his Church?—for he would hardly have the effrontery to admit that, after all, his personal advantage is the primary motive. Repeal is to serve for a stepping-stone to an Irish Catholic parliament, the first measure of which would of course be to plunder the Protestant church, and to transfer its possessions to the Popish clergy.

Would to God that it were only in persons whose minds are warped by base and selfish motives that this unscrupulous contempt of the most solemn engagements were exhibited! Other Papists besides O'Connell, men in other respects of integrity and honour, have proved how little they feel bound by the oath which they took on admission into parliament, than which nothing can be more clear, more incapable of misconception. I will only refer to the case of Lord Camoys, who is admitted to be an amiable and respectable man, and one who, in things unconnected with his Church, would shrink from the imputation of falsehood; because it affords too striking and too instructive an illustration of the power of that execrable principle, which teaches that every consideration of conscience, honour, and consistency, must be sacrificed to the aggrandizement and predominance of Rome.

In the debate on the Irish Arms' Bill, passed in the

last session of Parliament, Lord Camoys spoke with energy and warmth against the measure, and declared that nothing would prevent him from joining the ranks of Repeal but the total extinction of the Protestant Church established in Ireland. Most humiliating, but most deserved, was the rebuke drawn by this denunciation from the eloquent lips of Lord Brougham. "The price," said his lordship, "which my noble friend tells us we are to pay for his abstinence from the Repeal agitation is the total abolition and extinction of the Established Church in Ireland.

"My noble friend seems to have exhibited a most extraordinary oblivion of his own personal history—a total erasure from the tablets of his memory of what he pronounced two years since, standing in the very place from which, only a little hour ago, he addressed your lordships for the purpose of enabling us to form an estimate of the value attached to the securities inserted in a paragraph of the oath taken by Roman Catholic members of parliament. My noble friend, at the time I refer to, standing on this very spot, addressing, not your lordships, but a higher tribunal—my noble friend, I say, who now cries out for the extinction of the church in Ireland, after denouncing other pestilent heresies, thus swore—'I do swear to defend to the utmost of my power the settlement of property in this realm as established by the law; and I disclaim, disavow, and abjure any intention to subvert the Church Establishment as settled by law within these realms.' So that two years ago he had no such intention as

he has expressed to-night; but my noble friend goes on—‘ And I do solemnly swear that I never will exercise any privilege to which I am or may be entitled’—including, of course, the privilege of a peer of parliament, which is the highest of all—‘ to disturb or weaken the Protestant religion or the Protestant government in the United Kingdom.’ Now, if any priest of my noble friend has told him that a nice distinction can be taken judicially between the Protestant religion and government and the Protestant Church established in Ireland, I say to my noble friend that he cannot avail himself of any such distinction; but he goes on—‘ And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, so help me God!’ ”

Having refreshed the memory of Lord Camoys, relative to his oath as a peer of parliament, Lord Brougham proceeded to comment on what he emphatically called this most “melancholy exhibition.” “My Lords,” said he, “I have lived long in the world. I have seen many examples of the effects of the wilful courses of designing men, and of the influence they have gained in prosecuting their wicked designs on less powerful minds, of less steady characters, of minds less capable of self-defence. I have seen both here and abroad the effects on weak and on youthful minds, the effects of the operations of the Catholic priesthood for the accom-

plishment of their sinful and sordid objects. And I have seen in this country the consequences of political seduction by similar means and for similar objects. But, knowing as I do the honourable nature of my noble friend, his pure motives, and the candour of his disposition, I do profess and declare that I never yet saw so melancholy and striking an exhibition in my whole life of the effects of such insidious arts on such minds as has this night been exhibited by the marvellous declaration of my noble friend. It is only a lesson, my lords, to you, and I am sure it ought to be to the government, of the absolute and overwhelming necessity of looking to the education of the Irish people in spiritual things; of looking to their condition under the control of a priesthood so educated as that which now instructs them and misleads them, and now alternately agitates and seduces them—men ignorant of the most salutary branches of human knowledge—destitute of that true enlightenment in which both sound principles and good feelings find their best root, and from which they draw their purest and most wholesome support—it affords us this lesson, my lords, and at the same time gives me a most new, a most powerful and irresistible, and at the same time, I must confess, a most unexpected confirmation of all those opinions on this vitally important subject, which I have never ceased to entertain since I came into the government in the year 1830. My lords, my noble friend the noble marquis has so shown to you the uselessness of Maynooth, that you cannot stop in dealing with that institution.

“Either you must abolish it altogether, and restore the priesthood of Ireland to their former education on the continent—an education which had some liberalizing effects, and produced priests much more fit to be entrusted with the consciences of men than are those who are educated at Maynooth—either you must do this, or you must enlarge that institution; extend to the education of the priests all the salutary branches of human knowledge which are now excluded from them; plant its roots far and wide in the literature of the human race; draw forth the letters and the improvement of the age, all that wholesome sap, which, rising through the trunk, will not merely produce leaf and blossom—will not merely give the appearance of an educational establishment—but will yield sound, solid, precious fruit of charitable opinions, of liberal views, and of that wholesome and rational religion which is the best prop of pure morality.”

A reckless disregard of all obligations, however solemn and sacred, when not accordant with the interests of the Church, has in fact been the invariable practice and precept of the see of Rome ever since the days of Gregory VII. Faithlessness, perjury, perfidy, have been the equally invariable effects of this infernal maxim, even in men in other respects amiable, honourable, upright, and sincere. Such a man, for instance, was Sir Everard Digby, who though knighted by James I., was one of the principal accomplices in the Gunpowder Plot, contrived for his destruction. When apprehended and examined upon oath

whether he, like the other conspirators, had taken the sacrament as a pledge to keep secret the plot, he had no scruple to perjure himself, by swearing solemnly that he had not; lest he might compromise the Romish priesthood, if he should be questioned and perhaps put to the torture, to make him confess the name of the priest by whom it was administered. Having pleaded guilty to the charge of treason, he addressed the court in explanation of the motives which had induced him to engage in the conspiracy. He declared that he had not been influenced by ambition or discontent, but by religious considerations; that, perceiving religion to be in danger, he had resolved to hazard property and even life to preserve it, and to restore the Romish faith in this country. His own words were: "Now, for my intention, let me tell you that, if I had thought there had been the least sin in the plot, I would not have been of it for all the world; and no other cause drew me to hazard my fortune and life but zeal to God's religion. For my keeping it secret, it was caused by certain belief that those which were best able to judge of the lawfulness of it had been acquainted with it and given way unto it.—Oh, how full of joy should I die, if I could do anything for the cause which I love more than my life!"

Fortified by such experience, both of past and present times, are we not authorized to doubt the wisdom of that measure which qualified Papists, whom no oaths or engagements can bind, to exercise the legislative functions, and thus invested them with new power to

serve their own Church at the expence of the heretic Establishment?

How, it will be asked, is this deplorable state of things to be remedied? I will proceed to explain my humble ideas, not in the expectation that they are likely to be adopted, but in the hope that they may at least furnish one or the other useful hint to persons possessing superior ability and influence, who may be induced to direct their attention to this most important subject.

It is admitted by Catholics as well as Protestants that, from the accession of Gregory VII. to the papal chair down to the present moment, the court of Rome has never ceased to claim the sovereignty over kings. It has uniformly asserted its right to crown them, to depose them, and to reform the acts of their government. It is true that it has professed this doctrine in different ways, according to circumstances, sometimes daring to put it into practice, and oftener advancing it under comminatory forms; sometimes proclaiming it in positive terms, at others covering it with the veil of certain vague expressions, or merely introducing it into clandestine writings. But, among the hundred popes who have succeeded Hildebrand, we shall find scarcely five who have not claimed, with more or less audacity or cunning, the enormous power which that pontiff arrogated to himself. That the power of the Pope has no limits, that the dignities of the Church and of royalty, the will of all nations and all sovereigns, must bow at his feet—such is the result

of all that Gregory VII. said, wrote, and did. Nothing is more simple than such a system, and, monstrous as it may appear, it is the unchangeable doctrine of the Holy See.

The right of punishing and exterminating heretics is another of those prerogatives still claimed by the Popes as inherent in the head of the Church. These and all other claims injurious to the peace and honour of other states, the Pope, I should say, ought to be required to renounce by an authentic and irrevocable act, were I not convinced that the demand would be made in vain, unless enforced by a British squadron laid athwart the Tiber, and a land-force strong enough to batter the Vatican about the pontiff's ears. But, for the sake of extorting such a renunciation, which, if he signed it one moment, he would retract in the next, it would not be worth while to compromise the peace of Europe, more especially as we have the remedy in our own hands.

Let then the British legislature, in the plenitude of its omnipotence, declare the sovereign of the United Kingdom to be protector and head of the Catholic Church of Ireland.

Let the appointment to archbishoprics, bishoprics, and other principal offices in the Catholic Church, be vested in the government.

Let the monastic orders and other religious congregations, under the denomination of colleges, convents, monasteries, or by whatever name they are called, be prohibited, and such as exist dissolved.

Let all correspondence with foreigners on matters of religion be strictly forbidden, excepting communications with the Romish See; such communications to be under the inspection and control of government, as is the practice in other countries.

The necessity for cutting off all correspondence on matters of religion between the Irish clergy and foreigners, and for preventing the interference of the latter in all domestic concerns, whether spiritual or temporal, is strikingly demonstrated by a startling fact, new to me, related by a writer, to whom I shall presently have occasion to refer. The count dal Pozzo alleges, and evidently without the slightest doubt of the authenticity of the statement, that the abuses of the correspondence between the Irish Papists and the court of Rome were carried to such a length, now avowed, though kept secret so long as it was necessary, that the Catholic bishops were nominated on the presentation of the Stuarts after their expulsion, and while that family existed. It was in commenting upon this fact, I presume, that the Times, as the same writer says, one day observed, "For any thing we know to the contrary, the Irish Roman Catholic bishops may now derive their nomination from the king of Sardinia;" and he remarks that the writer was under a slight mistake, and should have said the duchess of Modena, eldest daughter of king Victor Emanuel, who left no male heirs, because, in right of the Stuarts, that princess would have the preference before her uncle, Charles Felix, the then reigning king of Sardinia.

As supplementary to this scheme of reform, I should recommend the suppression of Maynooth College, the insufficiency of which is universally acknowledged, and the foundation at the public expence of a University on such a scale that the Catholic nobility and gentry would not disdain to send their sons to finish their education there: all the officers, professors, and instructors to be appointed by the government; and no books to be used as class-books without its approbation.

I cannot help thinking that it might be sound policy to attach to the prelacies an income sufficient to render them desirable objects to such Catholics belonging to respectable and influential families as might be educated for the priesthood.

It would be unnecessary here to insist on the enormous evils inseparable from the celibacy of the clergy and auricular confession. Suffice it to quote the words of one of the latest converts from Romanism, who signs himself "Henry Lewis Oxley, late a member of the order of Dominicans, Popish Priest of Leeds and of Leicester, and also Chaplain to a Nunnery in Leicestershire," and who confirms, in forcible language, the report of most of his brethren, who have given the world the benefit of their experience. He says—"The Saviour, before whose awful tribunal I must soon appear, knows that I lie not when I assert, as I do most emphatically,—1st. That the *celibacy* of the clergy, I will not say, *has been*, but I declare before God, *is*, the frightful cause of monstrous crimes. 2ndly. I equally assert, and with the same confi-

dence, that the *confessional* is not unfrequently the scene of great enormities." The most superficial consideration of the subject must lead to the conviction that, if the Popish clergy could be persuaded to marry, as they did in the early ages of Christianity, that single circumstance would tend most powerfully to render them more moral, as well as to inspire them with more humane and indulgent sentiments, not only towards persons of their own communion, but even towards heretics, accursed of God and the Church.

In the course of my researches after materials for the work to which I have already alluded, I was agreeably surprised to find that many of the ideas and conclusions which I had formed on this subject had been anticipated in a publication in French, which, from internal evidence, for it has no date, must have appeared shortly before the removal of the last Catholic disabilities, in 1829. The author, a foreigner and a Catholic, pleads with all the earnestness of an Englishman and a Protestant for the adoption of certain measures, which he considers essential for the peace of Ireland and the welfare of the whole British Empire.

This writer, count dal Pozzo, a native of Piedmont, gives the following history of himself. He commenced his career, when young, in the office of the advocate-general of the senate of Turin, in which all politico-ecclesiastical matters were prepared; was afterwards a member of that senate, to which all the bulls and briefs from Rome were presented; after the introduc-

tion of the new French system, he was appointed first substitute of the procureur-general of the court of appeal at Turin, and frequently performed the duties of his principal. He was then called to the council of state in Paris, in quality of maître des requêtes; appointed member of the provisional government which Napoleon established in Rome in 1809, and finally first president of the imperial court of Genoa.

Of course he had leisure and the best opportunities to make himself thoroughly acquainted with the principles of the court of Rome, the Roman Catholic clergy, and the systems of various governments in what relates to the external police of that religion. This acquired knowledge and long experience, added to a residence of several years in England, led him to believe that he should not be committing an act of great temerity, in putting forth his opinions on the Catholic question. As I have reason to believe that his work,* printed in London, was never translated and is not at all known, I shall not hesitate to add to my own opinions such of his as are consistent with my purpose.

This gentleman, who, I think, gave proof of no small political sagacity in warning most pointedly against the admission of Papists into Parliament, until preliminary measures had prepared for that final concession, considers the property enjoyed by the Established Church as the real apple of discord between the two

* De la nécessité très urgente de soumettre le Catholicisme romain en Irlande a de réglemens civils spéciaux. Par le Comte Ferdinand dal Pozzo.

religions in Ireland. He therefore recommends, in order to put an end to all disputes on this subject, that government should be authorised by law to take this property into its own hands, and to sell it for the purpose of forming a fund for the payment of the clergy of both denominations. The recent explicit declaration of her Majesty's ministers, expressing the firm determination of government to maintain and protect the Protestant Established Church in Ireland, renders all argument on this point superfluous: otherwise it would be easy to show that such a step, if practicable, which I cannot believe it to be, would be fraught with mischief for both divisions of our island-empire. Even if Protestant sympathies were not strong enough to prevent the spoliation, the supreme disdain with which the Popish clergy a few months since spurned the idea of a State provision proves that nothing less than the exclusive enjoyment of the possessions of the heretic Church can satisfy their orthodox cravings.

It is the nature of Popery to be dissatisfied with concessions, however ample, so long as there is any thing left to concede. Marquis Townshend, while lord lieutenant, aptly characterized the insatiable rapacity of an Irish placeman of that day by the observation that, "if all Ireland were given to him for his estate, he would be sure to beg the Isle of Man for a cabbage-garden." Such is precisely the grasping spirit of the Catholic hierarchy. Grant them to-day the repeal of the Union for which they are clamouring—lay the spoils of the Protestant Church at their feet

--and before a year's end you will have them imperiously demanding the abrogation of that statute which excludes Papists from the succession to the British crown.

The abolition of tithes, another point on which the count dal Pozzo insists, has been carried into effect since he wrote.

He recommends further the abolition of the post of lord lieutenant, which, he contends, is not only useless, but "serves to keep up the idea of separation, and to cherish culpable hopes in those who desire that separation for their own advantage. There is not the least doubt that this is the favourite idea of the leaders of the Catholic party in Ireland, that the Catholic clergy and the court of Rome aim at acquiring the exclusive sway there, and consequently at the destruction of Protestantism. If this image of separation, which is now kept constantly before the eyes of the Irish in the government of Ireland, were done away with for ever, and if, by a necessary consequence, the ties with England were drawn closer and multiplied, it must be evident that the true prosperity of Ireland, which consists in a firm union, or rather in a complete amalgamation, of Ireland with England, would increase in proportion, and that the whole United Kingdom would gain in power, splendour, wealth, and prosperity." With the increased facility and rapidity of communication between the seat of government and the Irish capital, I cannot myself discover any great inconvenience that would

result from the abolition of a dignity, kept up rather for ostentation than for any purpose of solid utility.

To these measures, the author adds a fourth, which he deems far more important and more indispensable than the other three. Even in case of their rejection, he says, it must absolutely be adopted, if Catholicism shall exist in Ireland, and if it shall exist in a manner not prejudicial to the political constitution of the country.—This is a reformation, not in the same spirit as that of the 16th century, for then it would cease to be Catholicism, or rather Roman Catholicism—I mean a reformation which changes none of the doctrines considered by the Roman Catholics as essential; which in no way separates the church of Ireland from the communion with Rome in regard to what is necessary—a reformation which brings back Catholicism to its most ancient discipline, to its primitive purity—a reformation such as can be most legitimately effected, and with great advantage, both for religion and for the State, by special civil laws, in every country, and under every species of government—a reformation for which, fortunately, we have examples to follow, even in Catholic countries, and which, in consequence, cannot be objected to either as impracticable, or as a damnable innovation.

Since Christianity deviated from its primitive simplicity; since the Pope, the bishops, the priests, the monks, acquired such great temporal power and began to exercise so general and so mighty an influence, by instruction, by the direction of consciences, by the

forms, practices, and associations which they invented ; since they interfered in all the affairs of this world, issuing precepts and prohibitions for all cases—governments, in order to maintain or to recover their authority ; in order to control the baneful impulses which may be communicated by the clergy ; in order to prevent, in short, all the abuses, as well as all the prejudices, by which civil society might suffer—governments, I say, have found themselves obliged to make police laws for ecclesiastical affairs, that is to say, for all that relates to the externals of religion, and not only laws of direction, but also of repression against those who should violate those laws. There is not a single country, with a considerable and compact Catholic population, with an ecclesiastical hierarchy, and forms of public worship, in which legislative enactments have not been issued on this subject, and in which also the observance of these enactments has not, more or less, according to circumstances, been strictly enforced. Of this kind were the laws called in one country Gallican liberties, in others Germanic liberties. Needs there any proof of the necessity of such laws ? Look at Spain, Portugal, some parts of Italy, and even France, and who can help perceiving what are the consequences of a Catholicism, which is not in its form and discipline restricted and regulated by special laws, and which is not thus controlled by the civil government ? In those countries, the clergy possess themselves of all they can grasp, and are never satisfied, till, directly or indirectly, they rule alone.

The power of the Church, say they, is derived from God; it is therefore natural that what emanates only from men should be subordinate to that which emanates from the Deity: of course the civil authorities, so far from having a right to claim any ascendancy over the clergy, ought not to act in things which relate to them unless under their influence. Such is nearly the language of the clergy in all the countries where the civil authority does not assume a higher tone and insist on being obeyed.

Let me then ask, if this necessity of special laws and civil regulations for ecclesiastical affairs has been felt in all ages and in all countries, can Ireland seriously pretend to foster in her bosom with impunity a Catholicism without any of these laws?—Ireland, where it has been so long without the least control, where the spirit of insubordination of the clergy to the civil authority has so frequently displayed itself, and where it has held a language so audacious?

In 1795, cardinal Antonelli, prefect of the Congregation de Propaganda Fide, addressed in the name of that congregation, by order of Pius VI., a letter to the Roman Catholic prelates of Great Britain and Ireland, in which he recommended to them to teach the people committed to their spiritual care what is the real liberty to be desired, and what the slavery to be avoided. The cardinal affirms that if this instruction ought to be religiously given in any place whatever, with still greater reason should it be inculcated by the Catholic bishops of the British islands, in order that,

the calumnies of ancient times being dispelled, and the Catholic name justified from all inculpation, nay, even from the slightest suspicion of disloyalty, any judge, though not absolutely impartial, shall be obliged to acknowledge the Catholics as most faithful to God and to their sovereign. "This," he adds, "is what is due for all the justice and beneficence of the excellent king George III., under whose mild and benign sway the Catholics, so far from wearing a galling and heavy yoke, have been liberated, on the contrary, from the more onerous conditions by which they were before restricted, endowed with privileges, admitted into the military service, authorised to give suitable instruction to the Catholic youth, in short, loaded with all sorts of benefits." *

The fact is that, in the times immediately succeeding the concessions granted, the satisfaction of the Catholics appeared to be complete: their gratitude and loyalty were expressed in the most energetic terms; and the English government and nation were every where extolled for their liberality and their religious tolerance. Scarcely, however, had a few years elapsed, when, though no change had taken place to the detriment of the Catholics, louder outcries than ever were raised against slavery, persecution, intolerance, degradation, stigmatization, &c.

It is well known that the Irish Catholic prelates, who in 1799 had assented to the principle of the

* Appendix to a Speech intended to have been spoken by Sir John Hippesley in the House of Commons, May 13 & 14, 1805.

Veto, a mere negative interference of the sovereign in the nomination of bishops, when assembled in synod in 1810 and 1814, published resolutions against any kind of interference on the part of the Crown in their nomination as inconvenient; and that, in 1819, they discovered this to be a new species of persecution with which they were threatened.

These absurdities prove to what a point the domineering spirit of the Romish clergy in Ireland and its adherents has arrived. It is high time to make that spirit bow to the empire of the civil law, and to accustom the Catholics, especially the clergy, to obey the civil authority, even in religious matters; for the supreme civil power has a natural right to the obedience of every religious society, the Roman Catholic Church not excepted.

Besides, the ignorance, the superstition, the fanaticism, the domination of the priests over the mass of the Catholic population of Ireland, are so self-evident, that whoever says Catholicism in that country needs no reform asserts what is manifestly false. In order to be thoroughly convinced of the necessity of reform, only observe how the priests intermeddle in all the affairs of life, great and small, spiritual and temporal, pecuniary and commercial, amusements, instruction, marriage, education. They give precepts and prohibitions for every thing, very often according to views which are neither spiritual nor pure; they search in the decretals, no matter whether true or false, in the canons of certain councils, in the decisions of certain

congregations at Rome, in the opinions of certain doctors, for authorities in support of their pretensions, which they afterwards sanction by their denial of the sacraments or the refusal of sepulture. Is this state of things to be tolerated?

But what need is there of more reasons to prove the necessity of a reform of Catholicism in Ireland? Are there not monks, Jesuits, and Jesuits' Colleges in that country? * Are not communications with the

* It has long been well known that wherever there exist monks, they are the special agents of the court of Rome, independent in many things of the bishops and of the ecclesiastical authorities of the country. Sometimes, however, they have given out that they are not so, and by the aid of pious words, they readily gained belief for their falsehoods. The emperor Joseph II., before he proceeded to the general or almost general suppression of convents, endeavoured to cut off their connexion with foreigners; but it was in vain: he was then obliged to take more peremptory measures. The same thing occurred in Belgium in 1820, when Brothers of the Christian Schools applied to the Netherlands' government to be recognised in that kingdom, where they purposed to devote themselves to the instruction of youth. The government, before it acceded to this desire, made them all sign a declaration, certifying their independence of any foreign superior. In spite of these declarations, it was afterwards discovered that the relations formerly subsisting between them and the superior-general out of the kingdom were not discontinued. The government ordered all of them who were born abroad to leave the country, and dispersed the others, who were even obliged to lay aside their habit. Such was the purport of a royal decree of Feb. 21, 1826.

From these facts may be drawn two conclusions. One is that it is an indelible character of monks to be agents of the court of Rome, and that, in consequence, a country into which monks are admitted fosters in its bosom a continuing and living action of the court of Rome, which can neither be measured, nor calculated, nor watched; for who can know their oral instructions, their most secret acts, all their modes of

court of Rome carried on without the slightest inspection or control? How is it possible that all these things should have a totally different influence in Ireland from what they are known to produce in all other countries?

The Jesuits at the present day differ in no respect from their predecessors any more than the difference of times requires. Numberless circumstances, which have occurred in other countries and been attested in courts of justice, prove either the ignorance or the wilful blindness of those, who, in spite of them, maintain that the Jesuits of our days are not the Jesuits of bygone times; that the ultramontane doctrines which endanger the civil and religious liberties of a country are out of fashion, or that in these times of enlightenment and civilization they are professed by a very small number of persons; that, besides, their propagation is not to be feared; and that neither civil nor religious liberties are in any way threatened by them. I know not indeed how any well informed man can doubt these facts, or choose rather to believe the verbal declarations of the Irish Catholic prelates, or of the court of Rome itself, framed for the purpose of promoting some of their designs, than the evidence

influence? The other conclusion is that no credit ought to be given to their declarations: and, in support of this, I appeal to the well-known fact that the Jesuits introduced themselves into France after the Restoration under the denomination of Brethren of the Faith, formally denying that they were Jesuits, till a letter from Father Fortis, their general, dated the 27th of May, 1823, addressed to one of the syndics of Chambery, revealed the deception.

of these facts; or perhaps even assert that what happens in France or other countries cannot take place in Ireland. Let but the Catholics acquire power sufficient to execute their plan of a complete equality, unshackled by conditions, restrictions, or guarantees, and we shall see, but too late, at least for the public tranquillity, the liberties of Ireland, and through Ireland those of Great Britain, threatened by the Jesuits, the court of Rome, and the Roman Catholic clergy. The experience of recent times ought to convince all minds that we must not say of any doctrine or of any institution—impossible that it can ever happen again.

Popes and Catholic prelates themselves have admitted the necessity of a reform of their church; and if these declarations furnish incontestable proofs of that necessity, a necessity which has been felt for many ages, they likewise demonstrate that unfortunately such a reform cannot proceed either from the court of Rome or the Catholic clergy, and that, in consequence, it is only by governments, and by energetic governments, that they can be effected. For Ireland I consider this so essential a point, that without it there will be, in my opinion, no tranquillity in that country: and it may be accomplished with greater facility than may be imagined. Models for it exist in France and in Austria. The only secret consists in proceeding direct to the goal without fearing Rome or clergy; in making neither compact nor compromise; in maturing plans, in issuing orders, and then

causing them to be executed with firmness, and punishing such as either openly or secretly oppose them.

As the tendency of the proposed measures is to release the laity from the tyranny of the Pope and of their ignorant, bigoted, selfish, and vindictive priests, any serious opposition to them from the more enlightened and respectable portion of the Catholic body is scarcely to be anticipated. The Pope no doubt would cry to Heaven and Earth to avenge his outraged rights of supremacy; the prelates and priests would bluster, and they might possibly find means to communicate some sparks from the flame of their own resentments to the infatuated minds of the lowest and most ignorant members of their communion: perseverance, without any resort to force, would probably suffice to extinguish them.

On this subject the Count de Montlosier, the bold assailant of the Jesuits in France, in the year 1828, remarks, "It is not so difficult as it may be conceived to make either the clergy or the court of Rome tractable and submissive. Charlemagne, Louis IX., and Louis XIV., before he placed himself under the guidance of priests, could when they pleased obtain on this point all that was to be obtained. An authority to keep the clergy in subjection is necessary for the clergy themselves. A remarkable fact in our history," adds the same author, "is, that whenever the clergy had a strong authority above them, their moral conduct showed its influence. No sooner did the eye cease to watch and the hand to press upon them,

than the clergy again sunk into debauchery. Read Fleury's history: though every thing that is unfavourable to the clergy is merely noted, you nevertheless perceive that the times of their subjection were invariably marked by their sanctity and their virtues." "In theory," adds M. de Montlosier, "would it not be thought a bold undertaking to attempt to subject soldiers boiling over with courage and armed with the thunderbolts of war to any discipline? yet it has been done with a good system of severe laws. Pursue the same course with that body which is armed with the thunderbolts of Heaven, and you will see."

Here be it again observed that all the proposed special laws are restrictions for the court of Rome and the Catholic clergy only: the Catholic laity, constituting, of course, the great majority, acquire by means of them much greater liberty. To pretend to repel, as an infringement on the liberties of the country, the special civil laws which Catholicism in Ireland has need of, is one of the most egregious absurdities. The civil and religious liberties of the United Kingdom, on the contrary, imperatively demand those special laws. They were necessary, and in great number, for organising the church of England. The case is nearly similar, and the same kind of arrangements are in consequence required.

In no religion is it more incumbent on the civil authority to interfere than in the Catholic; because no religion has carried its pretensions to such a length;

none has multiplied precepts and prohibitions to such an extent; none has exercised greater influence, and is still to this day seeking either to exercise or to extend it by all possible means.

The motives which imperatively require the most constant action of the civil authority on Catholicism are,

1. Its absolutely exclusive quality;
2. The intolerance almost infallibly arising from this quality, and its strong impulse to persecution;
3. The ancient maxims of the court of Rome and of the Romish clergy, which are neither all, nor perhaps any of them, changed, and from which its modern pretensions, though externally milder and more moderate, nevertheless derive their origin, and of which they savour;
4. The circumstance that the supreme ecclesiastical power, and consequently the centre of the Roman Catholic religion, is abroad, and of course out of reach of the civil government of any other country but Rome; that numerous agents of this supreme central authority are scattered over the whole globe, actively corresponding with one another, and whose secret influence may the more easily escape the attention of any government;
5. The main spring of auricular confession, which is one of the Catholic dogmas—and a multitude of religious practices, the tendency, or at least the effect, of which is to propagate superstitions, vain fears, false

hopes, to maintain and augment ignorance, fanaticism, servility, in short to brutalize by degrees the human race.

These five qualities or attributes are not combined in any other known religion; and I boldly assert that there is no other way to ensure *religious liberty* in any country whatever, where Catholicism exists in a certain force, but by the frequent and almost continual intervention of the government in the affairs of that religion.

I shall make one more extract from the work of count dal Pozzo, as presenting a brief but forcible summary of his arguments in behalf of the regulations which he proposes for the Irish priesthood.

Pitt, in his letter to the king, in 1801, plainly intimates that the only way to reconcile Catholicism with the British constitution is to subject that religion to certain regulations of the civil authority.... Those regulations, be it observed, are not confined merely to a Veto, nor even to a more direct part taken by the government in the nomination of archbishops and bishops, conjointly with a supervision of the correspondence with the court of Rome, as Canning and other statesmen suggested. These two things are no doubt necessary. But they are far from being sufficient: for they would not prevent the influence, sometimes scarcely perceptible, but continual, and consequently of the greatest effect as to results, of doctrines prejudicial to the State and to civil society, preached from the pulpit, taught in the seminaries,

instilled in the confessional, nor the vacillations and insubordination of bishops when once elected, nor the effect of superstitious devotions and of the ignorance which extols them. All these poisons would subsist along with the Veto and the inspection of the written correspondence with Rome. How could Catholicism, the sworn enemy, sometimes open, sometimes secret, but always alike implacable, of Protestantism—how could this Catholicism, I say, left thus to itself, and placed, moreover, without salutary previous precautions, on an equality with Protestantism by the abolition of all the penal laws, live in peace beside it? Impossible! Possible in Canada, where there are 65,000 Catholics at a great distance from the Court of Rome and from Europe; possible in some parts of the United States of America; possible even in England and Scotland, where the Catholics are so inferior in number to the Protestant population, so scattered, having no special connexion with each other, nor even what is called a real Catholic hierarchy.* But can one with a shadow of reason argue from such countries for Ireland? Here exists a great, strong, ancient ecclesiastical organisation, ruling six millions of Catholics, concentrated in one island, embittered by long recollections, bred in a multitude of prejudices, and exalted by hopes of equally long standing. This organisation is habitually hostile to Protestantism and to the English

* England and Scotland are what are called at Rome *Mission Countries*, where there are no real bishops, cathedral chapters, seminaries, &c., but only vicars apostolic, removable at pleasure.

constitution, of which Protestantism forms a part. It must therefore be destroyed or changed, that is to say there must be substituted in its place an organisation conformable with the nature of the government, and salutary in every point. In this alternative, it is clear that the latter is the only just and politic course; but it is also imperatively necessary.

This new organisation cannot be the result of any thing but special civil regulations. These regulations must of necessity be numerous; in the first place, because Catholicism—not that founded by Christ, but such as it has since become—does not obey, it will command. You must do nearly the same thing for Catholicism that has been done for Protestantism, if you would obtain similar results, that is to say, if you would have a religious establishment that really incorporates itself with the State, a religious establishment that obeys and aids the government, instead of resisting, counteracting, and undermining it. The sovereign of England must be declared by act of parliament protector and head of the Roman Catholic church of Ireland: regulations, and minute ones, must be framed relative to external form of worship, discipline, hierarchy, ecclesiastical education, preaching, &c.; not in concert with the Pope or the bishops of Ireland, but by consulting the regulations ancient and modern, national and foreign, which have subsisted and which still subsist, without breaking off the communion with Rome, and without their ever having been considered as endangering the substance of the Catholic religion.

The necessity of these regulations is of itself a proof of their legitimacy. But, after all, the principle which legitimates them in the most incontestable manner is the duty incumbent on the Church to obey the supreme authority of the State in every thing that is not doctrinal. This duty is even conformable with the revealed divine law.

If then the said special civil regulations for the Catholic worship are legitimate ; if they are necessary, indispensable for the welfare of the State ; if they offer such great surety to the English constitution, to the English government, and to the civil and religious liberties of the country—the only surety that truly deserves the name—if with it the State has all other sureties, and without it none, or at least none that is sufficient, the conclusion to be drawn cannot be doubtful.

The preceding arguments and observations, enforcing the necessity of the imposition of civil restraints on the Popish clergy in Ireland, and emanating from an experienced and enlightened Catholic, will I trust be thought on that very account to deserve the more serious attention, and to be entitled to higher respect than if they had proceeded from the pen of the professor of a different creed, who must have incurred the imputation of prejudice and partiality. The nature of the proposed regulations will be sufficiently illustrated by the subjoined summary of the system pursued by the two principal Catholic governments in Europe.

I.

PRINCIPLES AND REGULATIONS OF THE AUSTRIAN
ECCLESIASTICAL CODE.

The Austrian Ecclesiastical Law positively teaches that the Catholic Church, as a visible and external society, might have been and may be validly rejected by the State;—that civil and religious society are two moral beings, essentially differing in origin, in object, and in the means of attaining that object;—that each of these societies exists apart, and therefore that it is a great absurdity to say that these two societies are one and the same thing;—that the State, as such, is not the subject, or the matter, of religion;—that the former has not a necessary connexion with the latter; for, it is added, the social compact is not founded on the idea that the citizens have to profess one religion rather than another;—that the sovereign of a State, as well as the subjects, are at perfect liberty to enter or not to enter into the society of the Church;—that no forcible means are allowable in matters relating to religion;—that it is a purely accidental circumstance relatively to the State, that all these members, or any of them, belong to the Church;—that, by an ulterior consequence, the State is not in the Church, even though the head of the State and all his subjects be members of that Church. Hence also it is inferred that the sovereign who is a Catholic has, in his quality

of sovereign, neither more nor fewer rights than a sovereign professing any other religion.

Such are the main principles of the Austrian system. I shall now subjoin some of the principal dispositions of the Austrian laws in ecclesiastical matters. In these it is inculcated that the Church is in the State, not the State in the Church; that the latter, as a society legally admitted into the State, ought, in regard to every thing external, discipline, public worship, property, revenues, &c. to be subject to the laws of the State;—that the sovereign, as sovereign, is neither a subject of the Church nor a member of the Church, as well because the State is completely independent of the Church, as because, civil society being anterior to the society of the Church, there is no proof that Christ was disposed to take away any thing from the primitive rights inherent in those who govern the State, and, on the contrary, he taught, both by word and example, that we ought to respect and to obey them;—that *the sovereign, nevertheless, as head of the State, and independently of the religion which he professes, is also the external head of the Catholic Church*, as well as of all other religious societies admitted in the State, and that he can make special laws for every one of them.

Setting out from these principles, the Austrian law attributes to the government three principal rights relatively to the Catholic Church: the right of examining, the right of preventing, the right of protecting.

As to the first and second of these rights, it is per-

fectly natural that the government which has the supreme inspection over every thing that passes in the State should have the right of informing itself and requiring reports concerning all that is doing in the Catholic church, that is, concerning the laws of its association and its external acts—as also of preventing and forbidding whatever it can discover in those laws and in those acts prejudicial to the State. For, it is there observed, abuses, bad practices, erroneous and dangerous doctrines, are liable to creep into the Church, as into all human institutions, just as tares mingle with the good corn, and as bad fish are found along with the good in the net of the fisherman.

The right of protection is exercised by the government over the Catholic church, inasmuch as it was admitted into the State, and there constituted a moral person; and by virtue of this protection it enjoys not only the free exercise of its worship, but also various civil rights. Any society, and particularly religious societies of the nature of Catholicism—(I mean Catholicism as it now exists, not such as when it was first founded)—could not subsist without a special protection of the government. The Austrian law insists, in an especial manner, that no other authority but the government can decide without appeal the questions liable to arise, and that are continually arising, either between the members of the association, or between the entire society and one of its members, or between the association, on the one side, and individuals or corporations unconnected with the association, on the other.

The right of protection was considerably extended in its consequences, and in my opinion most reasonably, on the ground, 1stly, of the just return which the Catholic Church owes to the government for the existence and the rights granted by it; 2dly, because every religion ought to be useful to the State; and, as the State itself can alone be the judge of that utility, it follows that the Church cannot be useful to it unless in accordance with the views of the government, and that it ought in consequence to follow the directions of the latter in whatever is not prejudicial to the essence of its religion.

In pursuance of this right of protection, which naturally associates itself with the two other rights above mentioned, those of examination and prevention, and which completes them, the Austrian government, after the example of many other sovereigns, principally in the first ages of the Church, made laws or regulations, relative to almost all matters of worship and external discipline—to the public teaching of a better system of ecclesiastical laws; to the observance of better ecclesiastical laws; to the education of young candidates for the ecclesiastical profession; to the form of prayers, and other accidental rites of public worship. It suppressed such of those rites as it deemed useless, superstitious, or prejudicial; it forbade pilgrimages, nocturnal assemblies, the exposure of goods for sale near churches, the multiplicity of church-boxes and collections, certain processions, certain practices for obtaining indulgences, and certain bene-

dictions, and most expressly missions ; * it restricted holidays, days of fasting and abstinence from certain kinds of food ; it stedfastly maintained the principle that the government has a right to forewarn the people against superstition, pious falsehood and frauds, illegitimate devotions, artful extortions, and even to direct the ecclesiastical rites for the benefit of the State. It inculcated that the government can, when it thinks fit, silence controversies which it deems dangerous to the public tranquillity ; and it forbids, in fact, disputes on the bull Unigenitus, and between Molinists and Jansenists. It attributes to itself the authority to compel, even by rigorous measures, members of the clergy to perform their duties, the right of convoking national councils, of admitting or not admitting monks, and prohibiting, when it thinks proper, the taking of monastic vows, not only, as it says, because the existence of the whole corporation depends on the civil government, but also because religious vows and the tenor of monastic life remove those subjects who embrace it from various duties of society, and that as long as they live. It reserves to itself a part, sometimes direct, at others indirect, in the nomination of those

* It has considered as one of the rights belonging to it that of fixing the number of the ecclesiastics, of prescribing the qualities which candidates for the ecclesiastical profession must have, as well as the conditions under which they may embrace it ; and all this in consequence of the great influence which the clergy have upon the population. It regarded the prohibition of the missions as a consequence of the law of toleration of different religions.

who are to fill the different ecclesiastical dignities or offices. Thus all the bishops and archbishops in Austria are nominated by the emperor, with the single exception of the archbishop of Olmütz, who is elected by the chapter. The vicars-general are elected by the bishops and approved by the government. The canons are directly nominated or approved by the government, according to fixed regulations. In order to ensure the nomination of fit persons, the government prescribes the rules that are to be followed. It desires, for example, that parishes be given after competition; that the canons of cathedrals may be bestowed as rewards for good parish priests, or those who have distinguished themselves in the public instruction. In short, the ecclesiastical laws have been almost entirely new framed in Austria by the laws of the civil authority, which have almost superseded the ancient canon law.

In addition to these, the Austrian ecclesiastical law adopts the following maxims.

The ecclesiastical hierarchy, that is, the religious establishment, as it exists, is partly of divine right, partly of human right.

The power of the Church is wholly spiritual; it is limited to instruction, to exercises of piety, to the occasional exclusion of refractory members of the ecclesiastical communion—No coercive power belongs to the Church—Every individual is at liberty to enter the Church or not to enter it—The Church has no power over purely civil actions—Ecclesiastical cen-

asures cannot have the slightest civil effect unless the civil authority assents to them.

The Pope, the bishops, and the other members of the clergy, may be in error whenever they make regulations for matters not concerning the faith ; and even in decreeing upon such matters, if they are not assembled in general council, and their decrees are not the result of universal assent.

Dogmas alone are invaluable. Every thing else appertaining to religion that comes under the name of discipline is accidental and subject to the changes required by times, places, and other circumstances ; whence we may deduce the principle of the perfectibility of the Church.

No new dogmas can be introduced.

No miracle is at present needed by the Church.

The laws of the Church, or canons, if they relate to any thing external and temporal, must be approved by the State. The publication of all must moreover be submitted to the *Placet or Exequatur* of the government. No new ecclesiastical law shall be made, unless there be a necessity for it, or it be of evident utility to the Church. The head of the State may require the execution of the ancient canons of the Church emanating from the times of the greater perfection of Christianity, in preference to such as were subsequently introduced, in consequence of the false decretals, papal reservations, and what are termed the rules of the Romish chancery. He has a right to cause such divisions of dioceses and parishes as he

thinks proper to be made, for the exercise of the ecclesiastical jurisdiction, and to refuse to suffer the ordinary jurisdiction of any foreign bishop, excepting that of the Pope, in what relates to the real attributes of the primacy. He has a right nevertheless to restrict communications with the Pope to matters purely essential to the Catholic religion; for it is a consequence of the right of protection inherent in the government over the churches of its own dominions to enfranchise them from submission to a foreign jurisdiction. All concessions made to the Church by the political authority may be modified or revoked, as circumstances or the welfare of the State may require.

The ecclesiastical jurisdiction was not attributed to St. Peter alone, but to all the apostles, of whom the bishops are the successors. The bishops are to be considered as successors of the apostles only in that part of their power which is necessary for the conservation of the Church, not in that other privileged part, conceded to them personally and as witnesses of the resurrection, or as expressly chosen to be the first preachers of the Gospel. Still less can they be considered as successors of the apostles in the extraordinary gifts of the Holy Ghost, which were directly and specially conferred upon them. The power of the bishops being, therefore, of divine origin, can not be subjected to any diminution on the part of those who elect, confirm, or consecrate them. The bishops are all equals, excepting the primacy of the bishop of Rome. They ought not, therefore, to be considered

as subjects of the Pope, but rather as associates, or colleagues, in the government of the Church, as also in the power of making ecclesiastical laws.—The superior ecclesiastics ought to abstain from imposing any arbitrary yoke on the faithful, from commanding any thing that is not founded on the institutions of Jesus Christ, or demonstrated to be indispensable for the welfare of the Church. They ought, in short, to preserve intact the liberty of the Church.—It is the will of the government that the bishops resume the full exercise of their primitive rights; that they adopt or reject the new laws of universal discipline, after their own examination of them, and according to the circumstances of their respective dioceses; that they, not the Pope, shall grant such dispensations as they think fit relative to marriages or any other subject.

The primacy of the Church belongs to the bishop of Rome. This primacy has for its object the preservation of the unity of the Church.—Every bishop ought to put himself in communication with him by letter.—The bishops may also hold convocations themselves, if the welfare of the Church requires it, and the Pope refuses to convene them. The consent of the supreme power is necessary for the convocation of a council. The authority of general councils is superior to that of the Pope, because the supreme power of the Church was attributed to the whole body of the bishops.

The ancient bulls invading the rights of the political and civil authority, such as the bull *In Cæna*

Domini, shall not be executed in any manner.—No new bull, no rescript, no provision coming from Rome, grants of indulgences included, can be either received, or published, or carried into execution, unless it is furnished with the *Placet* or *Exequatur* of the civil authority.—The decisions of the different congregations of Rome, of the Index, of the Holy Office, &c., are not recognised.—All correspondence with the generals of religious orders resident abroad is prohibited, even in case there should be monks of the same order in the Austrian dominions.

Every bishop duly nominated or approved by the government must, before consecration and before he takes any oath to the Pope, take one to the sovereign, in which it shall be specified that any oath he may take to the Pope shall be understood to relate only to canonical obedience, and not diminish in any respect the rights of the sovereign, or his duties as a subject.—The parish priests are to attend at the promulgation of laws, and to inculcate the observance of them.—The government has also imposed on them other duties, by which it makes them concur in primary instruction, in taking care of the poor, orphans, and bastards, in keeping registers in due form of the civil state, and in the execution of the laws generally.—It has appointed them officers for the performance of the civil ceremony of marriage, though it has in many respects entirely separated the contract from the sacrament.

Notwithstanding all the ecclesiastical laws on the

subject of immunities, the Austrian government has attributed to itself not only the rights which every government has over the possessions of individuals, but still more ample rights, that, in particular, of supervising their administration, considering them as part of the public domains, (since they belong to corporations whose very existence depends on the government) as property the revenues of which ought to be applied to objects of public utility, such as the maintenance of religion and its ministers, and the relief of the poor. It made considerable modifications in regard to tithes. It taxed the revenues of the clergy, either for objects of general utility, or for others of special utility to the Church itself. It determined the cases in which alienation is permitted, and the forms to be followed in those cases.—In like manner, it attributed to itself the authority to suppress, diminish, or regulate, according to circumstances, the fees and dues payable to the clergy on all different occasions. It forbade the sending abroad any part whatever of the money belonging to ecclesiastical corporations, even in payment for masses.

In regard to religious liberty, or toleration, the Austrian government holds this language: "Religion, considered abstractedly, did not form part of the social compact, neither could the citizens renounce the natural liberty to exercise the religion that suits them, provided civil society sustains no detriment from it. This ought so much the more to have place, since religion is not a thing that can be forced, because, the

moment you attempted to force it, it would become an outward and hypocritical cloak of faith and piety. For this reason, it is one of the rights of the sovereign to allow his subjects of different religions the free exercise of their worship, whenever it appears to him that the doctrines and rites of any religion whatever are not in opposition to the welfare of the State."

Then, advertng to the Catholic church in particular, it adds: "The Church must have learned of its divine founder that it is its duty to obey the civil authority; and this obedience ought to extend to every thing not contrary to the essence of the Christian religion, as founded and instituted by him. The supreme civil authority has, therefore, the incontestable right to allow those who profess other religions the free exercise of them. It has also authority to determine, by positive dispositions, their reciprocal relations and the regards which the professors of different creeds ought to have towards one another; and a good right to forbid the practices of proselytism, which it deems prejudicial to the public tranquillity and to the welfare of the State."

The Austrian government then expressly commands that Catholics and Protestants shall, in their sermons, keep within due bounds, and abstain from all sarcastic and insulting expressions. Leaving its subjects at full liberty to pass from one Christian sect into another, it takes precautions to prevent violences, fraud, and precipitate deliberations. It laid down rules for resolving the doubts in what religion the

children born of mixed marriages must be brought up, when that point was left unsettled, or the father is dead, &c. To such a length has it carried religious liberty, that it causes, in case of need, the duties of Protestant ministers to be performed by Catholics for baptisms and burials, and Protestants to be interred in Catholic churchyards in places where they have no cemeteries of their own. In short, it has done all that lay in its power to multiply occasions for encouraging conciliatory feelings, and thus establishing real peace and concord between them.

I pass over many dispositions of detail framed by the Austrian law for ensuring the accomplishment of its principal views, which aim essentially at rendering Catholicism more pure in itself, more perfect, more useful at the same time to civil society, and even more favourable to religious liberty in general; that is, both to that of the members of the Catholic religion and to that of the professors of other religions admitted in the State. Some of those dispositions are the following:

No new festival, holiday, or exercise of piety, can be introduced without the permission of the government.—The pastoral letters of the bishops must be submitted to the government before publication.—Excommunication cannot be fulminated, neither can censures nor public and outward penances be inflicted, without the approbation and consent of the government.—The jurisdiction of the papal nuncios is not recognised.—The permission of the government is requisite for the

admission of foreign priests to perform ecclesiastical functions in the Austrian dominions.—In cases of very great necessity, priests may be required for military service.—All churches and chapels which are not parishes must be suppressed.—New ones cannot be built without the permission of the government.—Austria wants no ignorant priests, especially parish priests.—A sufficient cultivation of mind is considered as indispensable for them and for the welfare of the people; accordingly, they are subjected, under the inspection of the government, to regular studies, and to determinate examinations, even in matters that are not ecclesiastical.—In like manner, as the government will not (very easily, at least) recognise new miracles, admit of new devotions, or of new ecclesiastical laws, without necessity, so neither will it in general sanction new indulgences: in all such cases, the diocesan must obtain the permission of the government before he has recourse to Rome.—Ecclesiastical burial shall not be refused to any one.

It was by the formation of a general religious fund arising from the possessions of suppressed convents, from the abolition of certain benefices, from taxes imposed upon others, and from the income of vacant benefices, that means were afforded for establishing new parishes in localities where they had become necessary; for making a suitable provision for such parish priests as have not a sufficient revenue; for assisting young candidates for the ecclesiastical profession; and for relieving priests, whether aged, infirm, or in want.—

Ecclesiastics must not manifest anxiety either for temporal possessions or terrestrial power, and they must avoid ostentation.

The origin of civil society is a compact of union among the persons composing it, and of submission to a supreme power which those persons found it necessary to establish; and this principle being laid down, the *divine right* of sovereigns is excluded.—The supreme power is the representative of the general will.

The books of the Old Testament, though they deserve the greatest respect and may be serviceable for the explanation of the new law, must not be considered as the *written divine law* for the Christian church—thus taking away the authority of the many absurd and misplaced quotations which Catholic priests are in the habit of making.

Such are the principles and such the dispositions adopted by the Austrian government, as the indispensable means of attaining the just end which it proposed to itself—that unexampled phenomenon—a Reformed Catholicism.

II.

ECCLESIASTICAL REGULATIONS ADOPTED IN FRANCE

BY THE EMPEROR NAPOLEON.

I. FOR THE CATHOLICS.

If Napoleon had re-established the Catholic religion in France, without negotiating with the Pope,

without entering into any convention with him—it is doubtful, however, whether, under the circumstances in which he found himself, he could have done so—it appears certain that his work would have been more successful and more lasting. The abbé de Pradt relates in his work entitled *Les Quatre Concordats*, that Napoleon afterwards repented that convention, and considered it as one of his greatest errors. The principles contained partly in the concordat of 1801, and partly in the organic articles of the concordat, are nevertheless truly excellent, as will be seen from the following summary.

The worship of the Roman Catholic religion shall be public, conforming itself to the police regulations which the government shall deem necessary for the public tranquillity.

The head of the State [Napoleon, then first consul] shall nominate to bishoprics and archbishoprics.

Bishops, and archbishops so nominated, before they enter upon their functions, must take an oath of obedience and fidelity to the head of the State in person.

Ecclesiastics of the second order take the same oath to the civil authorities designated by the government.

Public prayers shall be made for the head of the State, and for the State itself.

No persons can be chosen for parish-priests without the approbation of the government.

No bull, brief, rescript, mandate, provision, signature serving for provision, or any other papers

transmitted by the court of Rome, even though they concern private individuals only, can be received, published, printed, or otherwise carried into execution without the authorisation of the government.

No person, styling himself nuncio, legate, apostolic vicar or commissioner, or assuming any other denomination, can, without the like authorisation, exercise upon the soil of France, or elsewhere, any function relating to the affairs of the Gallican church.

The decrees of foreign synods, not excepting those of general councils, cannot be published in France before the government has examined their form, their conformity with the laws, rights, and franchises of the French empire, and whatever might, in their publication, disturb or concern the public tranquillity.

No national or metropolitan council, no diocesan synod, no deliberative assembly, can be held without the express permission of the government.

All the ecclesiastical functions must be gratuitous, except the offerings which are to be authorised and fixed by regulations.

Recourse is to be had to the council of state in all cases of abuses on the part of superiors and other ecclesiastical persons,* and such cases must be detailed at length. Under this head are specified contraventions of the laws and regulations of the State, violations of the liberties, franchises, and customs of

* Appeals concerning abuses were, in the sequel, under Napoleon himself, referred to the supreme courts of justice, as they formerly were to the parliaments.

the Gallican church, and all enterprises or proceedings which, in the exercise of religion, are liable to compromise the honour of citizens, to disturb their consciences arbitrarily, or to degenerate into oppression or injury towards them, or into public scandal.

The Catholic religion is exercised under the direction of archbishops and bishops in their dioceses, and under that of *curés* in their parishes.

With the exception of the chapters of cathedrals and seminaries, all other ecclesiastical establishments are suppressed. [Thus there could be no convent or monastery, no fraternity, society of Jesus, congregation, &c.]

The bishops nominated are examined on the subject of their doctrine by a bishop and two priests commissioned by the head of the State, who addresses the result of their examination to the minister charged with all affairs that concern religion.

The priest nominated bishop by the head of the State must use all diligence to obtain institution from the Pope. He cannot perform any function till the bull signifying his institution has received the signature of the government, and he has taken in person the oath mentioned in the concordat.

The bishops nominate and institute the *curés* : nevertheless, they do not make known their nomination, or grant canonical institution, till such nomination has been approved by the head of the State.

They are held bound to reside in their dioceses,

which they must not leave without the permission of the head of the State.

Those who are chosen as teachers in the seminaries must subscribe the declaration made by the clergy of France in 1682, and published by an edict in the same year.* They submit to teach the doctrine contained therein, and the bishops address the form of submission duly filled up to the minister charged with all affairs relating to religion.

The bishops send every year to this minister the names of all persons studying in the seminaries, and who are destined for the ecclesiastical profession.

They cannot ordain any ecclesiastic, unless he proves that he has an income of £300 francs, (£12), has attained the age of 25 years, and possesses the qualities required by the canons received in France.

* This is in substance as follows :

Kings and princes are not subject in temporal matters to the ecclesiastical power, and they cannot be deposed directly or indirectly by the authority of the heads of the Church, nor their subjects released from the fidelity and allegiance which they owe them.

The decrees of the council of Constance, on the authority of the general councils, must remain in their force and virtue, and the Church of France does not approve of those who assert that those decrees are doubtful, that they have not been approved, or that they were made only for times of schism.

The usage of the ecclesiastical power ought to be tempered by the canons: besides these, the regulations, customs, and laws received in the Gallican Church must be observed.

Lastly, though the sovereign pontiff has the largest share in questions of faith, and his decrees extend to all the churches and each of them individually, still his judgment is not infallible, if it is not followed by the consent of the whole Church.

The bishops confer no ordination till the number of the persons to be ordained has been submitted to the government and approved by it.

The *curés* cannot enter upon their functions, till they have taken the prescribed oath to the government.

The *curés* are immediately subject to the bishops in the exercise of their functions. They are bound to reside in their parishes.

The *vicaires* (the curates) exercise their ministry under the superintendence and direction of the *curés*. They are approved by the bishop, and revocable by him.

No foreigner can be employed in the ecclesiastical ministry, without the permission of the government.

An ecclesiastic not belonging to any diocese is forbidden to perform the clerical functions, though a Frenchman.

A priest cannot leave his diocese to do duty in another without the permission of his bishop.

The authorisation of the government must be obtained as well for the establishment of the chapters as for the number and the choice of the ecclesiastics destined to form them.

During the vacancy of sees, the metropolitan, or, in default of him, the oldest of the suffragan bishops, shall provide for the government of the dioceses.

The metropolitans and the cathedral chapters are required to signify without delay to the government the vacancy of sees, and the measures which have been taken for the government of the vacant dioceses.

There is but one liturgy and one catechism for all the churches of France.

No *curé* can order extraordinary public prayers in his parish, without the special permission of the bishop.

No holiday, excepting Sunday, can be established without the permission of the government.

No ecclesiastics who are not bishops can, in any case or under any pretext, assume the distinctive colour or marks of bishops.—The object of this clause was to exclude certain agents of the court of Rome, having the quality of apostolic prothonotaries, or different degrees of the prelacy.

Domestic chapels, or private oratories, cannot be established without the express permission of the government, granted on the application of the bishop.—This provision is designed to exclude altars and other oratories, which are sometimes seen in the streets, in shops, on the staircases of houses, near certain rocks, or certain wells—devotions which serve only to foster superstition among the people.

No religious ceremony shall take place out of the edifices consecrated to the Catholic religion in the towns where there are places of worship belonging to different professions.

In the cathedrals there shall be a conspicuous place for holding civil or military authorities.

The bishop shall settle with the prefect the manner of calling the faithful to divine service by the sound of the bells. They must not be rung for

any other cause without the permission of the local police.

When the government orders public prayers, the bishops shall arrange with the prefect and the military commandant the place, day, hour, and mode for the execution of these orders.

Solemn preachings, called *sermons*, and those known by the name of *stations*, in Advent and Lent, shall not be held by any but priests who have obtained a special authorisation from the bishop—The object of this disposition is to exclude itinerant preachers.

The *curés*, in their services of parochial masses, shall pray and cause prayers to be said for the State and the head of the State. They shall not introduce into their instructions any inculcation, direct or indirect, against persons, or against other religious professions authorised in the State: neither shall they make any publication not connected with religious exercises, excepting such as are ordered by the government. They shall not give the nuptial benediction to any who do not produce a certificate in due form that they have contracted marriage before the civil officer.

The circumscription of parishes and all changes in that circumscription, as well as the establishment of chapels of ease, require the approbation of the government. The priests doing the duty of chapels of ease shall be appointed by the bishops.

The salary of the archbishops is 15,000 francs (£600 sterling); the salary of bishops, 10,000 francs (£400 sterling). The *curés* are divided into two

classes: the salary of the *curés* of the first class amounts to 1,500 francs (£60 sterling); that of the *curés* of the second class to 1000 francs (£40 sterling).—All these ecclesiastical functionaries in France have now higher salaries, in consequence of new grants by the government, or of sums voted for them by the general councils of the large communes, and approved by the government.

The bishops shall draw up regulations relative to the fees which the ministers of religion are authorised to receive for the administration of the sacraments. These regulations of the bishops shall not be published or otherwise carried into execution, till they have been approved by the government.

Every ecclesiastic paid by the State shall be deprived of his pension, if he refuses, without legitimate cause, to perform the functions that may be assigned to him.

Foundations destined for the support of the ministers and the exercise of public worship cannot be carried into effect without the authorisation of the government.

Funds shall be established for the maintenance and conservation of the places of worship and the distribution of alms.

2. REGULATIONS FOR THE PROTESTANTS.

The Protestants of France are indebted for their present position much less to the decrees of the Constituent Assembly, and of the other legislative assem-

blies which proclaimed the free exercise of religion, than to the establishment of their different communions in 1801, on occasion of the concordat for the regulation of the Catholic worship. In this case, too, the forms may be said to have preserved the groundwork. Some of the bases of this organisation are the following.

No foreigner can exercise the functions of minister.

Neither the Protestant churches nor their ministers can have relations with any foreign power or authority.

No doctrinal or dogmatic decision, no formulary, by the title of *confession* or any other, can be published or taught, before the government has authorised its publication or promulgation. No change in discipline can take place without its authorisation.

The council of state shall take cognizance of all the proceedings of the ministers, and of all the dissensions that may arise between them.

None can be elected minister or pastor of a church of the Augsburg confession, or of a Reformed church, unless he has studied in one of the seminaries established for that purpose in France, and produces a certificate of his studies, his capacity, and his morals.

Extraordinary meetings of the consistories and synods cannot be held without the permission of the government. All decisions emanating from synods must be submitted to the approbation of the government. The election of the pastors or other ministers

must be submitted to the same approbation. The pastor or ministers elected and approved must take an oath of fidelity and obedience to the government.

Never, that I am aware of, have the Protestants of France raised any complaints against the forms given to the external discipline of their church by the civil law, and to these forms they are indebted for their present condition.

From all the dispositions adopted by Napoleon in regard to the Catholics, the Protestants, and, I may add, the Jews, it is evident that, instead of conceiving any idea of eradicating long established religions, instead of setting about making conversions, he placed the government at the head of all these religions, protected all, but likewise regulated all; that he strove to purify them, at least in a great degree; that he reduced their ministers to a due dependence; that he kept all foreign influence aloof from them as much as he could; that he procured for the mass of the Catholic population more especially a greater liberty of conscience than it had previously enjoyed: and thus, by not suffering either clergy, or foreigners, or parties, to usurp the supreme authority, he afforded a decided proof that he knew how to govern.

Every person who pays the least attention to the signs of the times must be convinced that the claims of the Romish clergy have no limits; that concession to them is but the forerunner of fresh demands; that nothing short of absolute domination will satisfy their

boundless ambition ; in short that, without some such restrictive measures and regulations as have been found indispensably necessary by Catholic sovereigns themselves, Ireland must, at no distant day, be urged by the clamours of the popish priesthood, seconded by unprincipled demagogues, into active rebellion. It is evident that, under the present system, there can be no peace for that country, no security for the Empire in general. Forbearance will have no more effect than it had to allay the Repeal agitation, and only serve to excite contempt for a government which can be weak enough to resort to it. The history of past ages, the experience of the present time, furnish incontestable proof that decisive measures, that fear alone, are capable of compelling that reluctant submission which is paid by Papists to heretic rulers ; that nothing but a resolute spirit and a strong hand can control and counteract principles, maxims, prejudices, and antipathies, subversive of all obedience to professors of another creed, which it is the business of their antichristian religion to inculcate and to foster.

X
Deeply impressed with these convictions, in which I venture to believe that I am joined by all genuine Protestants in the British Empire, I have not hesitated to express them, at the risk of any obloquy which they may bring upon the writer. The war-whoop of Popery will of course be raised against them in that island to which my observations especially refer ; and I must confess that I shall not be very

deeply mortified, if they are treated there in the same Irish manner as, in 1798, the rebels showed their hatred to John Claudius Beresford, the banker, when they collected all the notes of his firm which they could lay their hands on, and, bent on its ruin—presented them for payment? O no!—committed them to the flames. X

THE END.

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